

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DONALD JAMES AIELLO,

Petitioner,

v.

JEFFREY WOODS,

Respondent.

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Case No. 10-14330

Honorable Nancy G. Edmunds

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S MAY 21, 2014  
REPORT AND RECOMMENDATION [21]**

Before the Court is the magistrate judge's May 21, 2014 report and recommendation [21] that the Court grant Petitioner's motion to lift stay [17]; reopen this case; deem Petitioner's amended application for the writ of habeas corpus, 28 U.S.C. § 2244, filed; and order Respondent to file an amended answer and any additional Rule 5 materials within 60 days. The Court, being fully advised in the premises and having reviewed the record and the pleadings, hereby ACCEPTS and ADOPTS the magistrate judge's report and recommendation.

Accordingly, the Court:

- . GRANTS Petitioner's motion to lift stay [17];
- . REOPENS this case;
- . DEEMS Petitioner's application for the writ of habeas corpus FILED; and
- . ORDERS Respondent to file an amended answer and any additional Rule 5 materials within 60 days.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: June 12, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 12, 2014, by electronic and/or ordinary mail.

s/Carol J. Bethel  
Case Manager